

d) REMARKS

The pending claims are 1-15 with claims 1, 6 and 11 being independent. Former claims 16-30 and 46-57 have now been cancelled without prejudice or disclaimer. Claims 1 and 6-11 have been amended solely as to form and the amendments do not affect patentability. Reconsideration of the claims is expressly requested.

Applicants affirm the election of Group I, claims 1-15 and have now cancelled non-elected claims 16-30 and 46-57.

The objection to page 1 of the specification has been resolved through correction of the recited filing date and by addition of the issued patent number, as requested.

It is acknowledged that claims 1-15 define allowable subject matter and would be allowed if amended to overcome the Rule 112, second paragraph, objections.

Claims 1-15 were rejected under Rule 112, second paragraph, as being indefinite. The phrase "zinc ammonia complex ions" to which objection was made has been amended to recite --a complex of zinc and ammonia. ions--" To complete the record, Applicants acknowledge that the phrase "zinc ammonia complex ions" as employed in the specification also means "zinc ammine complex ions" which is define in Hawley's Condensed Chemical Dictionary, 13<sup>th</sup> Ed. (1997) as "any coordination compound formed by the union of ammonia with a metallic substance in such a way that nitrogen atoms are linked directly to the metal."

The Examiner had objected to claims 6-10 on the ground that the claims failed to recite the steps that make the photovoltaic device. Without agreeing or

disagreeing and solely to expedite prosecution, claim 6 has been amended to provide that indicated method produces a photovoltaic member. Such a member can be later formed into a photovoltaic device by the addition of electrodes or the like.

The Examiner objected to claims 11-15 under Rule 112, second paragraph, on the ground that the claim was directed to a method of producing a semiconductor device, but that nothing in the step recited making a semiconductor device. That objection is respectfully traversed.

The preamble of claim 11 is directed to "a method of producing a semiconductor device substrate" (emphasis supplied). Accordingly, the substrate produced is a zinc oxide thin film on a conductive substrate which member is a substrate for a semiconductor device. A semiconductor layer may be formed on such a substrate.

Accordingly, there being no further issues, it is respectfully requested that the claims be allowed and that the case be passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants

Registration No.

24947

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200